

OFFICIAL FILE  
ILLINOIS COMMERCE COMMISSION

ILLINOIS  
COMMERCE COMMISSION ORIGINAL

Before the  
STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

Jul 1 10 56 AM '02  
CHIEF CLERK'S OFFICE

Phoenix Network, Inc. )  
 )  
Petition for Withdrawal of )  
Certificate of Service Authority )

Docket No. 02-0448

### PETITION

NOW COMES Qwest Communications Corp. ("QCC"), on behalf of Phoenix Network, Inc. ("Phoenix"), and petitions the Illinois Commerce Commission (the "Commission") for the withdrawal of Phoenix's certificate of service authority, and for the cancellation of Phoenix's tariff, IL PHOENIX No. 3 (Resale of Interexchange Telecommunications Services). In support of this Petition, QCC states as follows:

1. Phoenix was issued by Commission Order dated May 16, 1991, in Docket No. 91-0043, a Certificate of Interexchange Service Authority to provide resold interexchange intraMSA and interMSA telecommunications service within the State of Illinois.

2. As the result of the merger on December 31, 2001, of Phoenix into its parent QCC, with QCC being the surviving corporation, Phoenix is no longer a separate legal entity. <sup>1/</sup> Any existing customers of Phoenix are now

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<sup>1/</sup> The parties informed the Commission of this anticipated merger by letter dated May 31, 2001, and informed the Commission by letter dated January 3, 2002, that the merger was consummated on December 31, 2001.

served by QCC. 2/ The merger of Phoenix into QCC, and the resultant transfer of existing customers from Phoenix to QCC, was entirely transparent to the transferred Phoenix customers: such customers did not see a change in their service provider or contact or billing information on any invoice or bill, nor did customer rates or terms of service change as a result of the merger. 3/

WHEREFORE, QCC, on the behalf of Phoenix, respectfully requests that the Commission:

A. Grant this Petition for the Withdrawal Certificate of Service Authority issued to Phoenix in Docket No. 91-0043;

B. Grant this Petition to cancel Phoenix's tariff, IL PHOENIX No. 3 (Resale of Interexchange Telecommunications Services); and

C. Grant any other appropriate relief. 4/

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2/ QCC has the necessary authority from the Commission to provide services to any transferred Phoenix customers. Specifically, QCC holds Certificates of Service Authority to provide facilities-based and resold local exchange telecommunications services within the State of Illinois, *see* Order, Docket No. 99-0143 (June 3, 1999) and to provide facilities-based and resold interexchange telecommunications services within the State of Illinois, *see* Order, Docket No. 98-0353 (June 17, 1998). As noted in Qwest's letter to the Commission dated January 3, 2002, as of the merger date, QCC has been providing services to any transferred Phoenix customers pursuant to the provisions of the LCI tariffs. QCC has filed tariff revisions (effective date of February 14, 2002) with the Commission to incorporate such terms into the QCC tariffs.

3/ LCI had, and QCC has and continues to, conduct business under the "Qwest" brand.

4/ The designated contacts for the purposes of this Petition are set forth in Attachment A hereto. A verification is included with this Petition.

Respectfully submitted,

**Qwest Communications  
Corporation on behalf of Phoenix  
Network, Inc.**

By:   
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Its Counsel

June 28, 2002

VERIFICATION

I, David L. Ziegler, being duly sworn, state that I am Regional Director, Policy and Law, Qwest Services Corporation, that I have read the foregoing Petition, and that the contents thereof are true and correct to the best of my knowledge, information and belief.

David L. Ziegler  
David L. Ziegler

Subscribed and sworn to before me this 17<sup>th</sup> of June 2002.

Margie A. Hertz  
Notary Public

[seal]



My commission expires: March 6, 2005.